

# Levin-Richmond Terminal Corporation

402 Wright Avenue, Richmond, California 94804

Tel. (510) 232-4422 / Fax. (510) 236-0129

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November 5, 1998

Mr. Dick Vesperman  
EPA Project Manager, Superfund Program  
US Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Dear Mr. Vesperman:

This letter is in response to your letter of November 2, 1998 regarding concerns for completing the upland cap portion of the Superfund response action at Levin-Richmond Terminal.

In an effort to address your concerns to the greatest extent possible, we are prepared to implement the provisions of Item Nos. 1, 2 and 4 of your letter. With respect to Item No. 3, prior to the receipt of your letter, we had already implemented a plan to mobilize two crews of personnel at the site to attempt to speed up the schedule submitted to you on October 7. LRTC personnel are scheduled to work 10 hours a day and 6 days a week until the project is completed. We will not, however, be able to complete the entire cap and storm water collection system by November 13, 1998. We will undertake our best efforts to have those elements of the project completed by the end of November, 1998.

We are confident that the cap that is being constructed is one of the most protective caps in the history of EPA Superfund sites. When the cap is completed, its cost will exceed the original estimate for installation by at least three-fold. Exclusively Levin has paid for these cost overruns. We have handled a number of field modifications resulting from uncovering many underground concrete structures that have caused delays. Additionally, an underground storage tank was discovered at the site during construction than no one knew existed. This caused several delays in the construction schedule related to the removal of the tank, excavation of contaminated material and arrangements for off-site disposal. The removal of the underground tank and contaminated material also caused damage to existing railroad tracks that are currently being repaired.

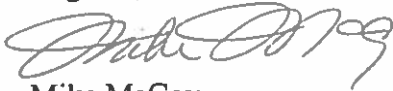
PES Environmental submitted a revised construction schedule to you on October 7, 1998, showing completion of the remediation at the site, including construction of the entire cap, by mid-December, 1998. Given that you have been in receipt of this letter for close to one month, your letter of November 2, 1998, unilaterally shortening the scheduled completion date for the project by more than a month is not possible.

Bringing additional contractors on site is neither feasible, nor would it speed up the completion of the cap and the storm water collection system. Until completion we are implementing temporary measures to prevent storm water from being discharged from the remaining uncapped sections of the site directly to the Lauritzen Channel in the event that the rains begin prior to completion of the final cap and storm water collection system.

The revised design plans for the swale for submittal to EPA by November 6, 1998 and design plans for the supplemental interceptor box in Area E for submittal to EPA by November 13, 1998 are being prepared by AN West, Inc.

Levin Richmond Terminal has acted in good faith to implement and complete in a timely manner the upland remedy consistent with the ROD and will continue to do so.

Regards,



Mike McCoy  
Project Coordinator

cc: Gary Levin  
Keith Howard  
Bill Frizzell

